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Glen Littleton and Class Counsel*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE TESLA, INC. SECURITIES  
LITIGATION

Case No. 3:18-cv-04865-EMC

**DECLARATION OF ADAM M. APTON  
IN SUPPORT OF PLAINTIFF'S  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL PLAINTIFF'S MOTION  
FOR ISSUANCE OF A REQUEST FOR  
JUDICIAL ASSISTANCE (LETTERS  
ROGATORY)**

Date: February 18, 2021  
Time: 1:30 p.m.  
Location: Courtroom 5, 17th Floor  
Judge: Hon. Edward M. Chen

Date Action Filed: August 10, 2018

I, Adam M. Apton, declare as follows:

1. I am attorney at law licensed to practice in State of California, and a partner with the firm Levi & Korsinsky, LLP. I represent Plaintiff Glen Littleton in the above-captioned action. This declaration is submitted in connection with Plaintiff's Administrative Motion to File Under Seal Plaintiff's Motion for Issuance of a Request for Judicial Assistance (Letters Rogatory). I have personal knowledge of the facts set forth in this declaration. If called as a witness, I could and would competently testify thereto.

2. In response to a subpoena served by Plaintiff, the United States Securities and Exchange Commission (“SEC”) produced certain documents to Plaintiff evidencing that on July 31, 2018 a meeting occurred at the Tesla Factory in San Francisco, California between Elon Musk, Deepak Ahuja, and Sam Teller from Tesla and representatives from Saudi Arabia’s sovereign wealth fund named the “Public Investment Fund.” The SEC produced the minutes from this meeting.

3. The attorney from the SEC noted that the documents were produced pursuant to the protection order signed by the parties in this action. The documents produced by the SEC included a “Confidential” designation.

4. Pursuant to Civil L.R. 79-5(e), Plaintiff states that the documents in their entirety produced by the SEC have been designated as “Confidential.”

5. True and accurate copies of these documents are attached hereto as follows:

<b>Exhibit</b>	<b>Document</b>	<b>Filed Under Seal</b>
Exhibit A	SEC-EPROD-000016694	ECF No. 303-3
Exhibit B	SEC-EPROD-000009477	ECF No. 303-4

6. Plaintiff is moving this Court for issuance of letters rogatory to obtain testimony from the Kingdom of Saudi Arabia’s sovereign wealth fund named the “Public Investment Fund” regarding this meeting and any other discussions.

7. Plaintiff seeks to file the documents produced by the Public Investment Fund to the SEC under seal. These documents are exhibits to Plaintiff’s Motion for Issuance of a Request for Judicial Assistance (Letters Rogatory).

1 I declare under penalty of perjury that the foregoing is true and correct.

2 Executed this 14th day of January 2021.

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5 s/ Adam M. Apton  
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